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**REMARKS**

Claims 1, 3-18, 20-29 and 31-33 are currently pending in the subject application and are presently under consideration. Claims 1, 20, 28 and 33 have been amended as shown on pp. 2-6 of this Reply.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

**I. Rejection of Claim 20 Under 35 U.S.C. §112, second paragraph**

In the Final Office Action dated January 20, 2006, claim 20 stands rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 20 has been amended to provide sufficient antecedent basis, as such the rejection is moot and should be withdrawn.

**II. Rejection of Claims 1, 3-12, 17, 18, 20, 23, 27, 28, 29 and 33 Under 35 U.S.C. §103(a)**

In the Final Office Action dated January 20, 2006, claims 1, 3-12, 17, 18, 20, 23, 27, 28, 29 and 33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lee *et al.* ("A secure electronic software distribution (ESD) protocol based on PKC" by Lee *et al.*, EC-Web 2000, LNCS 1875, pp. 63-71, 2000) in view of Goldstone (U.S. Pub. No. 2003/0142364 A1). It is respectfully submitted that this rejection should be withdrawn for the following reasons. Lee *et al.* and Goldstone, individually or in combination, do not teach or suggest each and every element set forth in the subject claims.

To reject claims in an application under §103, an examiner must show an un rebutted *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based

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on applicants' disclosure. *See In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The claimed invention relates to a system and methodology to facilitate secure network communications between remote network entities or parties to a transaction. This is achieved by providing a strong set of security credentials between a master entity such as a service and a remote entity such as a partner. In conjunction with the strong set of security credentials, a protocol is provided that acts as a package, wrapper or container to house the security credentials before delivery from the service to the partner to facilitate secure communications between the parties.

More particularly, independent claim 1 (and similarly independent claims 18, 27, 28 and 33) recite similar limitations, namely: a system and method for facilitating a computer a security connection between entities, comprising *a wrapper that packages credentials associated with resources of a service; and a pass-phrase employed in connection with generation of the wrapper via a cryptographic wrapping key, the pass-phrase employed to facilitate access to the credentials, the credentials employed to facilitate access to the resources of the service, and the pass-phrase distributed separately from the credentials.* Lee *et al.* and Goldstone, individually or in combination, fail to teach or suggest such aspects of the claimed invention.

Lee *et al.* discloses a secure electronic software distribution (ESD) protocol based on public key cryptography (PKC). When a customer completes a software purchase, a merchant server sends an electronic license to the customer *via* email. When a customer executes an installation program, the program first connects to the authentication agent using a loopback address and predefined port. The authentication agent decrypts using the merchant server's public key and sends the message to the installation program. The installation program then extracts the message, authenticates it and generates a timestamp. (*See* pages 67-68). However, Lee *et al.* does not disclose or suggest utilizing a pass-phrase to generate a wrapper. Applicants' pass-phrase generates and unlocks the wrapper and is also distributed to the user separately from the credentials.

Goldstone does not make up for the aforementioned deficiencies of Lee *et al.* with respect to independent claims 1, 18, 27, 28 and 33 (which claims 3-12, 17, 20, 23 and 29 respectively depend there from). Goldstone discloses a communication system that allows an e-

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mail message recipient to simultaneously retrieve encrypted e-mail messages and convert them into a format so they can be displayed readily by or on various types of devices. According to the system, an e-mail message recipient is notified of receipt of an e-mail message and an indication of whether the e-mail message is encrypted. The recipient of the e-mail message then has the choice of either downloading the e-mail message on a secure machine at a later time or opening the e-mail message immediately by providing the system with the appropriate decryption key. (See pg. 2, paragraphs [0015] and [0017]). Accordingly, Goldstone does not disclose or suggest utilizing a pass-phrase to generate a wrapper.

As stated above, teachings of references can be combined *only* if there is some suggestion or incentive to do so. Here, neither the nature of the problem to be solved, the teachings in the cited art, nor the knowledge of persons of ordinary skill provide sufficient suggestion or motivation to combine the references. Instead, the Office Action relies on improper hindsight in reaching his obviousness determination. Lee *et al.* and Goldstone cannot be combined to make the claimed invention obvious because there is not proper suggestion or motivation to combine the references' teachings to create the subject matter recited in independent claims 1, 18, 27, 28 and 33.

Lee *et al.* is directed to a secure ESD protocol that provides a secure software installation and illegal copy protection scheme based on public key cryptography (PKC); while Goldstone is directed to a communication system that allows for the retrieval of encrypted messages through different types of media. Specifically, Goldstone is concerned with accessing encrypted e-mails through different types of media, such as wireless phones, pagers, PDA's, *etc.* Goldstone states that most current handsets do not have the computational power to decrypt e-mail messages encoded using PKC. (See pg. 2, paragraph [0012]). Thus, one of ordinary skill in the art who is utilizing the secure ESD protocol based on PKC of Lee, would not look to the encrypted e-mails accessed *via* handsets of Goldstone because handsets would not have the computational power to decrypt e-mail messages encoded using PKC. Accordingly, neither Lee *et al.* nor Goldstone provide any motivation to modify the secure ESD protocol of Lee *et al.* as suggested in the present Office Action. Thus, the contention that separately distributing the pass-phrase from the credentials would have been obvious in view of the teachings of Lee *et al.* and Goldstone constitutes nothing more than hindsight speculation.

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Moreover, the combination of Lee *et al.* and Goldstone does not teach the claimed invention. Applicants' system for processing credentials utilizes a pass-phrase to not only decrypt and access the credentials, but also to secure the credentials in a wrapper. Specifically, the pass-phrase is employed to generate a cryptographic wrapping key (*e.g.*, standard API CryptDeriveKey function). With a given pass-phrase, for example, the resulting wrapping key is generally the same. The wrapping key is then employed to cryptographically wrap or insulate the credentials in the wrapper or package (*e.g.*, standard API CryptExportKey function). It is noted after the set of credentials have been placed into the wrapper, that generally only an entity that has the pass-phrase can retrieve the credentials. (*See* pg. 7, line 29-pg. 8, line 6). Accordingly, the combination of Lee *et al.* and Goldstone, *i.e.*, the addition of a separately distributed password, does not render the presently claimed invention obvious.

In view of the aforementioned deficiencies of Lee *et al.* and Goldstone, and because the requisite teaching or suggestion to combine the elements in the manner suggested is absent from the cited references, it is respectfully submitted that this rejection be withdrawn with respect to independent claims 1, 18, 27, 28 and 33 (which claims 3-12, 17, 20, 23 and 29 depend respectively there from).

### **III. Rejection of Claims 13-16, 21, 22, 31 and 32 Under 35 U.S.C. §103(a)**

In the Final Office Action dated January 20, 2006, claims 13-16, 21, 22, 31 and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lee *et al.*, in view of Goldstone, and further in view of Brainard ("SecurSight: An overview for secure information access" by John G. Brainard, RSA Laboratories). It is respectfully submitted that this rejection should be withdrawn for the following reasons. Lee *et al.*, Goldstone and Brainard, individually or in combination, do not teach or suggest each and every element set forth in the subject claims. In particular, Brainard does not make up for the aforementioned deficiencies of Lee *et al.* and Goldstone with respect to independent claims 1, 18 and 31 (which claims 13-16, 21, 22 and 32 depend from). Specifically, Brainard does not provide a pass-phrase to not only decrypt and access the credentials, but also to secure the credentials in a wrapper. Thus, the subject invention as recited in claims 13-16, 21, 22, 31 and 32 is not obvious over the combination of Lee *et al.*, Goldstone and Brainard, and withdrawal of this rejection is requested.

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**IV. Rejection of Claims 24 and 25 Under 35 U.S.C. §103(a)**

In the Final Office Action dated January 20, 2006, claims 24 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Lee et al.*, in view of Goldstone, and further in view of Chatani *et al.* (U.S. Pub. No. 2002/0104019 A1). It is respectfully submitted that this rejection should be withdrawn for the following reasons. *Lee et al.*, Goldstone and Chatani *et al.*, individually or in combination, do not teach or suggest each and every element set forth in the subject claims. In particular, Chatani *et al.* does not make up for the aforementioned deficiencies of *Lee et al.* and Goldstone with respect to independent claim 18 (which claims 24 and 25 depend from). Thus, the subject invention as recited in claims 24 and 25 is not obvious over the combination of *Lee et al.*, Goldstone and Chatani *et al.*, and withdrawal of this rejection is requested.

**CONCLUSION**

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP319US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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